

varying orientation of at least one of said first surface and said second surface so as to align said first and second surface in registration with each other.

8 15. (Amended) The storage medium of claim 12 wherein said medium is adapted to determine said second curvature by processing said second surface with a marching cubes process.

9 16. (Amended) The storage medium of claim 12 where in said first surface represents a patient and said storage medium includes instructions for causing the computer to generate said first surface from patient range data.

11 17. (Amended) The storage medium of claim 12 wherein said second surface represents a patient and said storage medium includes instructions for causing the computer to generate said second surface from patient image data.

REMARKS

This amendment is responsive to the Office Action mailed February 1, 2001 wherein claim 1 was rejected under 35 USC 112, second paragraph; claims 1, 2, 4, and 6 were rejected under 35 USC 102 (e) on Kitamura et al. (US Patent 5,936,628); claims 7-9 were rejected under 35 USC 103(a) on Kitamura et al. In this amendment, claims 1, 2, 4, 10, 11 and 13 have been canceled and claims 3, 5, 6-8, 12, and 14-17 have been amended. No new matter has been added.

Claims 3, 5-9, 12, and 14-18 remain pending in this application. Reconsideration in light of the above amendments and the following remarks is respectfully requested.

Claims 3, 5, 12 and 14 were objected to as being dependent upon a rejected base claim, but the Examiner stated that the claims would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claims 3, 5, 12 and 14 have been amended and are now rewritten in independent form, including all of the limitations of the base claim and any intervening claims. Claims 3, 5, 12 and 14 have also been written to overcome the rejection of claim 1 under 35 USC 112, second paragraph as being indefinite and failing to particularly point out and claim the invention. Each claim now recites "acquiring a first surface from a body to be imaged, said first surface having a curvature." Applicants respectfully submit the claims are now in full compliance with the requirements of 35 USC 112, second paragraph and withdrawal of the rejection under section 112 is

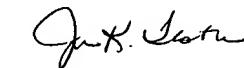
respectfully solicited. Claims 6-8 and 15-17 have been amended to depend from claims 3 and 12, respectfully. Claims 6-9 and claims 15-18 depend directly or indirectly from the allowable independent claims. Thus, Applicants respectfully submit that claims 6-9 and 15-18 are similarly allowable.

The art cited but not applied is noted, but the patents cited fail individually or in common to detract from the patentability of the Applicant's invention.

In view of the foregoing amendment and for the reasons set out above, Applicants respectfully submit that the application is in condition for allowance. Favorable reconsideration and prompt allowance of the application are respectfully requested.

Should the Examiner believe that anything further is needed to place the application in condition for allowance, the Examiner is requested to contact Applicants' undersigned representative at the telephone number below.

Respectfully submitted,



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April 27, 2001

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Attachments: Amended Claims